

MINUTES  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
DECEMBER 14, 2009  
Commissioner's Courtroom  
Hamilton County Government and Judicial Center  
One Hamilton County Square  
Noblesville, Indiana

The Hamilton County Board of Commissioners met in Executive Session in Conference Room 1A at 1:00 p.m. President Holt called the public session to order at 2:04 p.m. declaring a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. Holt led the Pledge of Allegiance.

**Executive Session Memoranda**

Dillinger moved to approve the Executive Session Memoranda of December 14, 2009. Holt seconded. Motion carried unanimously.

**RIGHT OF WAY VARIANCE**

Cornell Avenue North

Mr. Scott Leopold (3521 E. Carmel Drive, Carmel, Indiana) requested right of way variances on the lot located at the southeast corner of Cornell Avenue North and East 105<sup>th</sup> Street in Indianapolis (Home Place). The variance is for construction of a duplex with the plan being to build a series of duplexes in this area. The potential plan is to build one (1) duplex and then seek a PUD for this area. The existing setback is 30 feet with the request to reduce the setback to 10 feet. The structure would be within 10 feet of the road. Altman asked what the current width of the pavement is? Mr. Dave Lucas stated 105<sup>th</sup> Street is approximately 18 feet of pavement; Cornell is about 17 feet, edge of pavement to edge of pavement. Lucas stated currently there are two (2) nine foot lanes on 105<sup>th</sup> Street. Altman asked Leopold if they are proposing building a sidewalk or multi-use path? Leopold stated yes, in front on both sides. Leopold reported Carmel has requested they give them money for the sidewalk or multi-use path and then Carmel will use that money when they build it. Altman confirmed the developer will not put in the sidewalk/path? Leopold stated no, they can but they were advised by Carmel to donate the money into their fund for future sidewalk/paths. Leopold stated the idea is to build one duplex to test the market. Altman stated half of the new residences in this area were up for tax sale this year. Altman stated she does not know how the county could do another road improvement in that area again. Altman asked where is the drainage going? Howard stated 105<sup>th</sup> Street is the lowest point in that area. Leopold stated a retention area was not a concern for the Hamilton County Surveyor for the first building; if they were to build out the entire plan they would have a retention pond. Altman asked if Leopold has control of all of the property? Leopold stated yes. Altman asked what the highway department's recommendation is? Mr. Jim Neal stated because the existing platted right of way is only 15 feet and there are no curbs or gutter proposed, per the Thoroughfare Plan it should be 35 feet half with this proposal trying to fit everything in the 10 feet current edge of pavement and the face of the building the utilities still have the right to be there and if anything new comes in they will be forced to be under pavement so it will be a continuing issue of road cuts. Neal stated he can't support this. Howard stated this is the low place in Home Place; something will have to be done with the water. Leopold stated he owns several properties in the area and has never had a water issue in the five (5) years he has owned them. There are water issues in this area, but he has never had standing water. Dillinger confirmed Neal's recommendation was denial? Neal stated correct, right now the least we could go with was 25 feet which would give room for drainage and utilities. At 18 feet of pavement or less there would not be room for a school bus or anything else to get through. Altman stated if this was truly urban you would have underground utilities. Leopold stated they have the same issues in downtown Carmel or downtown Noblesville. Altman stated they have underground utilities and underground storage for water. They spend millions of dollars on ground water. Howard reported they have curbs, gutters and catch basins. City Hall has a serpentine detention pipes under parking lots. The Commissioners made no motion. No action was taken.

**HIGHWAY BUSINESS**

Acceptance of Bonds/Letters of Credit – Highway Department

Dillinger moved to accept Bonds and Letters of Credit for the highway department. Altman seconded. Motion carried unanimously.

- HCHD #B-09-0039 – State Auto Insurance Companies License or Permit Bond #SUR6004039 issued on behalf of Sign Shop LLC in the sum of \$5,000.00 for General Contractor. Expiration date: December 3, 2010.

**AGREEMENTS/SUPPLEMENTS**

Towne Road & Cumberland Road LPA-Consulting Contract

Altman moved to approve LPA-Consulting Contract, ARRA (American Recovery and Reinvestment Act of 2009 Funding) HCHD #E-09-0019, with USI Consultants for preventative maintenance of Towne Road and Cumberland Road. (DES 0901236, 0901238). Dillinger seconded. Motion carried unanimously.

146<sup>th</sup> Street from Ditch Road to Springmill Road LPA Consulting Contract

Altman moved to approve LPA-Consulting Contract (ARRA of 2009 Funding), HCHD #E-09-0020, with Floyd E. Burroughs & Associates for construction inspection of preventative maintenance of 146<sup>th</sup> Street from Ditch Road to Springmill Road (DES 0901237). Dillinger seconded. Motion carried unanimously.

Olio Road from 126<sup>th</sup> Street to 136<sup>th</sup> Street LPA-Consulting Contract

Altman moved to approve the LPA-Consulting Contract (ARRA of 2009 Funding), HCHD #E-09-0018 with Beam, Longest and Neff, LLC for construction inspection of pavement maintenance on Olio Road from 126<sup>th</sup> Street to 136<sup>th</sup> Street (DES 0901290). Dillinger seconded. Motion carried unanimously.

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116<sup>th</sup> Street and Olio Road LPA-Consulting Contract

Altman moved to approve the LPA-Consulting contract (ARRA Funding of 2009), HCHD #E-09-0017, with First Group Engineering, Inc. for construction inspection of pavement maintenance of 116<sup>th</sup> Street from Eller Road to 2.4 miles west of I-69 and Olio Road from the bridge over Geist Reservoir to 126<sup>th</sup> Street (DES 0901235 and 0901239). Dillinger seconded. Motion carried unanimously.

Bridge #58, Joliet road over Branch of Little Eagle Creek Engineering Agreement

Altman moved to approve Engineering Contract, HCHD #E-09-0014, with Floyd E. Burroughs & Associates, Inc. for replacement of Bridge No. 58, Joliet Road over Branch of Little Eagle Creek. Dillinger seconded. Motion carried unanimously.

Bridge #184, Brooks School Avenue Engineering Agreement

Dillinger moved to approve Engineering Agreement, HCHD #E-09-0016, with Bernardin, Lochmueller and Associates, Inc. for rehabilitation of Bridge #184, Brooks School Avenue. Altman seconded. Motion carried unanimously.

Bridge #19, West 256<sup>th</sup> Street Supplemental Engineering Agreement No. 2

Dillinger moved to approve Supplemental Engineering Agreement No. 2, HCHD #E-07-0002, with The Schneider Corporation for replacement of Bridge #19, West 256<sup>th</sup> Street over Teter Branch of Little Cicero Creek. Due to some unforeseen circumstances during excavation an increase to their construction inspection agreement is needed. Altman seconded. Motion carried unanimously.

Small Structure #31051 Engineering Agreement

Dillinger moved to approve the Engineering Agreement, HCHD #E-09-0013, with USI Consultants, Inc. for replacement of Small Structure #31051, Jerkwater Road over McKinzie Ditch. Altman seconded. Motion carried unanimously.

Small Structure #32022, Engineering Agreement

Neal stated previously DLZ Indiana was selected for Small Structure #31056, Lamong Road immediately north of 246<sup>th</sup> Street; it was previously designed as part of Sheridan's Lamong project. This structure does not need designed twice so DLZ will move to the next small structure on the list which is #32002, 241<sup>st</sup> Street over Armstrong Drain. Neal requested approval of moving the selection of DLZ from the Lamong Structure to the 241<sup>st</sup> Street structure. Altman so moved. Dillinger seconded. Motion carried unanimously.

Altman moved to approve the Engineering Agreement, HCHD #E-09-0015, with DLZ Indiana, LLC for replacement of Small Structure #32022, 241<sup>st</sup> Street over Armstrong Drain. Dillinger seconded. Motion carried unanimously.

206<sup>th</sup> Street Supplemental Engineering Agreement No. 1 – USI Consultants

Dillinger moved to approve Supplemental Engineering Agreement No. 1, HCHD #E-07-0019, with USI Consultants, Inc. for the 206<sup>th</sup> Street expansion of Hague Road to SR 19. Altman seconded. Motion carried unanimously.

206<sup>th</sup> Street Supplemental Engineering Agreement No. 1 – Floyd E. Burroughs

Altman moved to approve Supplemental Engineering Agreement No. 1, HCHD #E-07-0020, with Floyd E. Burroughs & Associates for the 206<sup>th</sup> Street road widening project from State Route 19 to Cumberland Road. Dillinger seconded. Motion carried unanimously.

96<sup>th</sup> Street and Cumberland Road Supplemental Engineering Agreement No. 1 – R.W. Armstrong

Altman moved to approve Supplemental Engineering Agreement No. 1, HCHD #E-07-0017, with R.W. Armstrong & Associates, inc. for the 96<sup>th</sup> Street and Cumberland Road intersection improvement project. Dillinger seconded. Motion carried unanimously.

Olio Road Corridor Study Supplemental Agreement No. 1 – Beam, Longest & Neff

Altman moved to approve Supplemental Agreement No. 1, HCHD #E-08-0012, with Beam, Longest & Neff for the Olio Road Corridor Study. Dillinger seconded. Motion carried unanimously.

**TRAFFIC STUDY CORRESPONDENCE**

Traffic Study Correspondence

Neal requested acceptance of the list of correspondence concerning investigations on Hamilton County Roads dated December 14, 2009.

- Julie Connolly regarding traffic improvements on 146<sup>th</sup> Street from Gray Road to Western Way in Washington Township. Highway staff recommends no changes at this time.
- Rachel Quade concerning use of the Gore area as a turn lane at 104<sup>th</sup> Street/Springstone Road and Olio Road in Fall Creek Township. Due to the widening of Olio Road to begin in the next four to five months the highway staff will be installing flexible delineator posts along the edge line of the travel lane to emphasize the edgeline and discourage additional use of the striped area. Dillinger moved to approve the Quade response letter. Altman seconded. Motion carried unanimously.

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- Dawn Zimmerman concerning use of the Gore area as a turn lane at 104<sup>th</sup> Street/Springstone Road and Olio Road in Fall Creek Township. Due to the widening of Olio Road scheduled to begin in the next four to five months the highway staff will be installing flexible delineator posts along the edge line of the travel lane to emphasize the edgeline and discourage additional use of the striped area.
- Michael J. McInturf concerning destination sign on Olio Road between 126<sup>th</sup> Street and 136<sup>th</sup> Street in Fall Creek Township. Highway staff will install the signs but they must be purchased by the United States Post Office.
- Susan & Robert Moran concerning reducing the speed limit on 191<sup>st</sup> Street between Westfield and Noblesville in Washington and Noblesville Townships. Highway staff recommends making no changes at this time, the 50 mph speed limit is appropriate.
- Mary Ann White concerning a Four-way Stop on 186<sup>th</sup> Street and Casey Road in Washington Township. Highway staff recommends making no changes at this time. A multi-way stop is not warranted at this intersection at this time.

Altman moved to approve the balance of the correspondence. Dillinger seconded. Motion carried unanimously.

Commerce Drive Extension Phase 2 & 96<sup>th</sup> Street Improvements

Dillinger moved to approve advertising for the Commerce Drive Extension Phase 2 and 96<sup>th</sup> Street Improvements Project with bids to be opened January 11, 2010. Altman seconded. Motion carried unanimously.

Small Structure #32081, Scherer Avenue over Scherer Drain

Neal requested approval of the Supplemental Engineering Agreement No. 1 for Small Structure #32081, HCHD #E-09-0005, with Bernardin, Lochmueller & Associates, Inc. Neal stated the bridge option is approximately \$120,000 more than the conspan option. They have looked at steeping up the slopes but the structure will have guardrail across it. The downside is they have to make sure there is good vegetation there so the slope stays stable; we can use some sort of native grass so mowing would not be an issue. If the neighbor on the opposite side wants to maintain it we can adjust the slope on that side but for the side with the rookery the slope has been steepened at 2:1 we can reduce our right of way impact. The bridge option, while more expensive for construction allows reduction of right of way to 45 feet. The conspan structure can get right of way to 55 feet. There is a possibility of some sort of retaining wall at the structure but right now these are the limits we can squeeze in to. If the construction is done during the winter months when the birds are not around the structure type should not matter, especially if the pile driving can be done while the birds are not there. Construction should be mostly done during the winter months. Altman asked how does the right of way balance out with construction costs? Neal stated the right of way on the west side is owned by the Parks Department and the east side is a private owner. Neal stated he does not know if it will change things tremendously, earlier there were more gentle side slopes so they could be maintained if we decide we will not maintain the slopes we will have less earthwork to do. There may be more expensive seeding to put in native grasses but those two things should balance out. Altman stated as long as there is not a site distance issue would we want to go with native grasses whenever we could, just from a maintenance and fertilization point? Neal stated in areas like this, especially with no driveway, etc., it makes sense to do that. On the east side the property owner may want to mow it so we may end up with a much gentler slope on that side. It gets down to where we are building the structure, if in someone's yard as opposed to going between corn fields. Holt asked if it is not clear cut and we have the mindset that it will be rip-rapped and what trees died as a result of the rip-rap we would not have an erosion problem and it would mean less machinery which means more tree canopy when it is done. Holt stated just because you are pile driving does not mean you have to run a bulldozer through it? Neal stated that is correct, the existing structure has to be removed and if we put the temporary run around in for equipment we can work on the east side of the road instead of the west. Neal stated he is proposing the grasses because people don't like to see the rip-rap. Holt stated the better solution is to keep it as wooded as possible and the rip-rap would let you do that as opposed to trying to get grass to grow, especially native grass that will take more sun. Holt asked as opposed to doing the run around why can you not go around the block? Neal stated when moving equipment you can't run a tracked excavator around the block, you have to bring in a low boy and load it up and there is significant cost to doing that. Altman asked if Holt's concern was having the least disturbance and have it done before the bird's return? Holt stated yes. Holt asked if Neal could bid two (2) excavators instead of one (1) so the run around would not have to be done. On the east side of the road it is a 12 to 15 foot drop and it will be butchered if you build a run around; the cost of an extra piece of equipment might be cheaper. Neal stated the run around itself is graded with what is naturally there; it is not a run around for anything other than construction. It is typically pipes to maintain flow and some rip-rap or maybe not even that extensive. Holt stated an extra piece of equipment would not be that expensive and it would hasten completion time. The road will be closed regardless. Neal stated they can look at it when it comes to the contract portion. Howard recommended it be bid as an alternate. Neal stated they could do that. Holt motioned to do the bridge option. Altman asked what are the estimates at this point? Neal stated the bridge estimate was \$493,000; the three-side culvert is \$373,000. Altman asked if there is additional right of way to install the culvert? Neal stated correct. Right of way requirements are the same. Altman asked what is the difference in approaches in terms of grade, will it be a 2:1 regardless? Neal stated yes. Holt stated the visual impact would be much different than a box culvert; the culvert will extend out the 55 feet and there is no point of putting equipment on both sides of the road because you will have to clear cut it to install the box culvert. Altman seconded. Motion carried unanimously.

Altman moved to remove the agreement from the table. Dillinger seconded. Motion carried unanimously. Dillinger move to approve the agreement with Bernardin, Lochmueller & Associates, Inc. for wetland determination and Blue Heron Rookery investigation for Small Structure #32081, Scherer Avenue/Scherer Drain. Altman seconded with the

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understanding that whatever the design will be it will be able to be completed in the off season. Motion carried unanimously.

INDOT Bid Results

Mr. Brad Davis distributed the bid results from the INDOT ARRA Stimulus bid letting of December 9, 2009. Bids came in well below estimates, approximately \$200,000 for the Hamilton County project listed in this letting. This means the reserve projects could go to bid in January. INDOT is planning a February letting as well. Hamilton County reserve projects are: 146<sup>th</sup> Street from county line to Ditch Road and the sidewalk projects.

2010 Highway Meetings

Davis requested approval of the list of proposed 2010 highway meeting dates. Dillinger moved to approve. Holt seconded. Motion carried unanimously.

2010 Annual Highway Bids

Davis requested permission to advertise for the 2010 annual highway bids. Davis reported he will be holding off on receiving salt bids to get a better feel of the salt supply. The bids will include pavement markings and stripings for the municipalities. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

Indiana Engineer of the Year

Holt congratulated Brad Davis on his selection as Indiana Engineer of the Year.

**2010 INSURANCE RENEWALS**

Cyber Liability Insurance Coverage

Mr. Bob Fearrin submitted an application for Cyber Liability insurance coverage with a quote received of \$17,000 annually. The Insurance Committee has reviewed the quote and took no action. Mr. Chris Mertens, ISSD Director, stated there is always an exposure risk; it is hard to plug all of the holes in an IT public web site. A lot of the risks are internally from disgruntled employees and leaving county employment. The coverage is good; his concern is the amount of the coverage considering the size of Hamilton County. Things have been put in place in just the first month he has been in this position that has increased security. Fearrin stated this coverage is relatively new. Dillinger stated to notify people will not cost \$1 million; the bigger exposure is if you identified someone who had their identity stolen and it affects their credit then we are obligated to do all of the research and put their credit back whole. We have had some instance of this through the prescription drug program. Altman stated that was a contractor issue. Dillinger stated the Insurance Committee discussed it but could not come up with a scenario that made it valid to spend another \$17,000 particularly in light of the budget restraints. Mertens stated he does not think Hamilton County is doing a lot of public face business where we are capturing a lot of data from the public. In State government a lot more business is done online. Altman asked if the ISS Board should discuss this and bring back a recommendation? Holt asked if this discussion should be held in Executive Session? Howard stated if we are going to ask Chris (Mertens) to discuss what works and does not work within our system, that is Executive Session material. Howard asked if this could be added on later? Fearrin stated it is a separate policy and could be added on anytime. Dillinger recommended this be referred to the ISS Board to discuss it and bring back a recommendation to the Commissioners. Holt asked if the recommendation could be made in conjunction with the county attorney? Dillinger stated yes. Holt asked that Howard or Murphy be included in this meeting. Mertens will schedule the meeting.

2010 Insurance Renewals

Dillinger stated the increase in premium of \$75,000 is due to the additional new buildings (Health Annex and Community Corrections). Dillinger stated the Insurance Committee recommends renewal. Altman so moved. Dillinger seconded. Motion carried unanimously.

**CORONER**

Request for Blackberry - Coroner

Mr. Thurl Cecil requested approval to get an additional Blackberry Cell phone with data system upgrade for Mark Roberts. Mark serves as Cecil's Deputy during his absence. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

**UNITED WAY CAMPAIGN**

Ms. Nancy Dietmeyer thanked the Commissioners for the county's participation in the 2009 United Way Campaign.

**HUMAN RESOURCES**

GASB 45

Ms. Sheena Randall stated the Insurance Committee has discussed the GASB 45 recommendations. Altman stated she thought this was to be discussed in a work session. Coverdale stated the County Council has already decided to not fund this; the Commissioners need to decide if there is going to be any corrections to the coverage. Altman stated the Commissioners decided to have a work session before one of our meetings.

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HIPPA Opt-Out

Randall reported the language in the HIPPA Opt-Out has been changed from last year. The language regarding low parity and substance abuse have been removed. As of January 1, 2010 we are not allowed to have separate limitations for those. Special enrollment has been left in. The plan was changed earlier this year to allow people to join the coverage due to lifestyle changes; there is not one date that anyone can enroll for any reason so we need to continue with that opt-out. The pre-existing condition clause has been retained. Any treatment for mothers and newborns requires they be pre-authorized. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

Employee Health Benefit Plan Amendment

Randall requested approval of the Third Amendment to the April 2009 Restatement of the Hamilton County Employee Benefit Plan. A new law, Michelle's Law, begins January 1, 2010. Michelle's Law states that any full-time student who withdraws from school (college) during a grading period due to a sickness or injury will remain a dependent until the end of that grading period unless they apply and are approved for medical necessary leave of absence. If they obtain a medical necessary leave of absence then they can continue on our plan for one (1) year as long as they have a disability for that entire time. This is federal legislation that has to be incorporated into our plan. Altman moved to approve. Dillinger seconded.

Randall stated the next amendment is also federal legislation, Genetic Information Nondiscrimination Act of 2008 (GENA), states we are not allowed to consider any genetic information in our plan regarding eligibility for benefits, establishing contributions or premium amounts or applying pre-existing conditions. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

**COMMUNITY DEVELOPMENT BLOCK GRANT**

Fishers Infrastructure Improvements

Mr. Mark McConaghy requested approval of a change order for the Town of Fishers infrastructure improvements. The change order is in the amount of \$5,754.94 for additional work required to complete the storm water drainage improvements. Holt asked McConaghy to present all the documents and they will take one vote.

Public Service Contracts

McConaghy requested approval of the following public service contracts:

- Alternatives, Inc. of Madison County - \$20,000
- Neighborhood Christian Legal Clinic - \$20,000
- Riverview Clinic - \$15,709
- Saint Vincent DePaul - \$15,000
- Trinity Free Clinic - \$15,000

Altman confirmed Alternatives of Madison County have an existing facility? McConaghy stated correct. Altman asked if this is a per diem rate? McConaghy stated yes, \$59.00 per night. McConaghy stated the Riverview Clinic is new this year; it is to help the homeless and near homeless individuals with medical necessities. Trinity Free Clinic is expanding its dental service, which is a new service this year. Holt asked if any of the requests were higher than the grant? McConaghy stated yes, in many cases they requested up to \$20,000; which is the maximum they may receive. Holt stated when you look at the Riverview Clinic request and the level of need was there a reason they did not receive the maximum request but the lawyers and shelter providers did? McConaghy stated this is a new program and they are not sure how many people they will serve and how the program will be received; they may be able to give them more money. Hope Clinic in Cicero was awarded \$15,000 but they will not be using it next year; they are reprogramming. Riverview did ask for \$20,000 and after talking with her it was decided they could give her more funds if they were needed. Holt asked if Trinity requested \$20,000? McConaghy stated yes, they are limited to a 15 percent cap on CDBG funds that can be spent. The review committee works with the providers and tries to fund the programs as much as we can. Dillinger moved to approve. Altman seconded. Holt asked if we could fully fund Riverview and take the difference out of the legal clinic and Trinity should be fully funded. McConaghy stated there will be money coming back and they could fully fund Trinity and Riverview. Holt stated if you have money coming back you could fully fund the legal clinic later in the year? McConaghy stated yes but he would like to amend the program which will have to be published. Holt moved to amend the motion to fully fund Riverview and take the difference out of the legal clinic and fully fund Trinity Free Clinic and take it out of St. Vincent DePaul. McConaghy stated they can do both with the money coming back from Hope Clinic, they were awarded \$15,000. Holt stated what Riverview Clinic does is very valuable to the community and we know that Riverview is taking a huge hit on unfunded medical from the State and if we can add \$5,000 to the good it is crazy not to do it. Dillinger stated McConaghy has stated they can give them the money without taking it from somebody else's pocket. Holt asked if you get additional monies back can you exceed the \$20,000? McConaghy stated the \$20,000 is a limit set by the review committee. Holt asked how soon do the contracts have to be executed without putting the funds in jeopardy? McConaghy stated the funds will not be in jeopardy, the programs can start January 1<sup>st</sup> and we can fund them in mid January. Holt stated with what we know is happening to our county hospital we know this does not make sense and on the western side of the county Trinity Free Clinic does tremendous things and for those two to be funded at that level and the \$20,000 is arbitrary, he does not have a comfort level with that. McConaghy stated they needed to set a limit on what people could apply for so they would not apply at

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a level we could not fund them at. Holt asked what is the total funding amount? McConaghy stated about \$112,000. Holt moved to table, he would like some input from Riverview before we vote. Dillinger seconded. Motion to table carried unanimously.

Holt asked McConaghy to find out the position of the Riverview Clinic and Trinity Free Clinic. Altman would be more inclined to fund with excess funds and not effect anybody else's funding at this time. McConaghy stated they can take the \$15,000 coming back from Hope and divide it between Trinity and Riverview. Trinity's executive director resigned and they are reprogramming their clinic, CDBG funds can not be used towards shrinking programs they can only be used for expanding programs. Riverview is not sure all of their funds will be spent this year because it is a new program. Holt asked McConaghy to come back to the December 23 meeting with more information.

McConaghy stated they are working on an amendment with HAND for the NSP program; when we said we would do rental it was to be for single family home; it never occurred to us there would be multi-family rentals available in Hamilton County. They will be doing a minor amendment to include multi-family homes as well as single family homes. They may also have to purchase homes, rehab and resell. They were hoping to do down payment assistance and not purchase the homes but because of HUD's timelines they suggested we add that in. The amendment will be coming before the Commissioners in January.

**WEB SITE**

Web Mapping Site Disclaimer

Mr. Larry Stout requested acceptance of a shorter disclaimer on the county's web mapping site. Altman stated the ISS Board has reviewed the proposed disclaimer with the inclusion of the ordinance language "thou shall not copy or reproduce for commercial purposes." Altman moved to approve. Dillinger seconded. Motion carried unanimously.

**ISSD**

Purchase Order for ISSD

Mr. Chris Mertens requested approval of a purchase order with NETECH to implement a disk based back-up system to move away from backing up to tape. We are spending over \$2,000 per month on tapes and it would be difficult to restore from those tapes, over time tapes go bad and it is a higher risk of not being able to recover those. The total cost is \$208,420 and there is money in the budget. Mertens did obtain two other quotes and looked at a different type of product and they were all more expensive. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

**COMMISSIONER COMMITTEE REPORTS**

911 Funding

Altman reported a group of Commissioners from the donut counties have met and discussed 911 funding issues in due to declining revenue streams and costs increasing. Some counties are seeking special legislation to get an income tax to cover the shortfall. Other counties are looking at a parcel tax. Altman is hoping to convince them to pull together all of their numbers so we can apply a reasonable rate increase to the 911 cell phone rate. They will be meeting again to speak with the business group on transit.

Holt stated he has been invited to a breakfast hosted by AT&T to highlight their perspective on 911 funding. Altman stated she understands AT&T has concerns on the incentives on 911 that the State is trying to do a universal incoming system and the loss of the ability to work with each county.

Capital Improvement Board

Altman stated Hamilton County Commissioners are required to convene a meeting of Commissioners from the donut counties to appoint a representative to the Capital Improvement Board. Altman has suggested a representative could be someone from a visitor's bureau from Hamilton County or Hendricks County who are active on those issues and understands the impact CIB has on our tourism industry. Holt stated this meeting has to be held right after the first of year; would it make sense to pick a date that is convenient to us and meet here? Altman suggested meeting somewhere in downtown Indianapolis (United Way office) to make it convenient for everyone? Dillinger suggested meeting somewhere off of I-465. According to statute every county should appoint someone to attend the meeting and then convene to appoint a representative of the group. Consensus was to decide the site and date on December 23<sup>rd</sup>.

**ADMINISTRATIVE ASSISTANT**

RFP for Fire Study

Mr. Dan Stevens reported he reviewed all of the RFP's on the ALS Fire Territory Study as did Steve Peachey. The RFP's were costly, not too timely and asking for more information than needed. Chief Peachey has consulted with the fire chiefs involved in creating a fire territory and they have produced a recommendation. Altman asked what were the costs on the RFP's? Stevens stated it ranged from \$26,000 to \$64,000 and they were all from out of state vendors. The soonest one could be done is 12 weeks. Peachey stated the expense was more than we were looking for; they were looking at everything we need to do, the RFP's were more than we were ready for. We are not at a point where we need someone to come in and tell us exactly where the fire stations need to be and how many we need. We have done that in

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Jackson Township. All of the fire chiefs agree we don't need expansion or capital growth right away; manpower is our concern due to the number of volunteer departments. We felt we could do better if we could hammer out a budget for the consolidation. All the fire departments together and give a figure for a budget, which will change because that is for Jackson Township, Atlanta, Arcadia and Cicero. We want to get to the fine details so we give a good solid figure. Altman asked if this is for a territory or a district? Peachey stated it is for a territory. Altman asked if this would be a separate governing body? Peachey stated yes, a separate entity. Until we get the hard figure they want to give this information to someone like Mike Reuter for a financial analysis to determine the tax rates. Howard stated for someone to come in from out of state, bring themselves up to speed, what levy freezes, caps, what is outside the levy and permitted use of funds when we already have a consultant that knows this information already. Stevens has spoken to Mike Reuter and he is willing to do this, there is a time frame he will need to look at it which is between now and January 1, 2010. Peachey stated the ordinance has to be passed by April 1, 2010. Altman stated her concern is we have been talking about this for years and there has always been a red herring thrown in the middle of the pot and there is always a reason why people are not sitting at the table; this is why we need a third party involved so everyone gives the information needed, do you truly think you guys can control it because the money stops. Peachey stated yes. Holt stated if you are going to have everyone sitting at the table there should be an elected official from each township in attendance and if the trustee does not want to do it then an advisory board member, which represents the taxpayers from each township, should be on there. Peachey stated we want to go through the detail of number of manpower, what services we duplicate now, the logistics of what it takes as far as operations and then come up with a budget and then sit at the table with elected officials. Holt stated he thinks the elected officials should be part of the process or at least be offered the opportunity. Stevens stated the township trustee has been represented in all of the individual discussions. Holt asked if someone from the Sheridan Town Council is in the loop? Peachey stated yes. Holt stated they should be invited to the meeting, if they choose not to attend so be it. Invariably when you make a decision that is going to impact everybody you lose folks if they say they did not know this was happening, these are the elected representatives. Stevens stated he agrees but the fire chiefs need to get their operational ideas on paper and start putting numbers to them. The township trustees are going to look at their fire chief and ask them if they agree with it. At that point have the public and elected officials review what they have produced and then turn it over to Mike Reuter. Altman asked Peachey if it would be counter productive to have an elected official at your initial meeting? Peachey stated he thinks it would, we are pushing this in the right direction, we are involving them. We have met with the township trustees and councils and they know that we are taking this step. Stevens stated he and Peachey have already met with Wayne, White River and Jackson Township Trustees. Adams is the only township trustee they have not spoken with individually. Altman asked if the trustees are comfortable with the fact we will not have an outside consultant? Peachey stated yes. Peachey stated they are all aware that this meeting is happening. Holt stated he thinks they should all be invited to the meeting. Stevens' recommendation is no action be taken on the RFP today.

2010 Commissioner Appointments

Stevens distributed a list of 2010 Commissioner Appointments that only affect private citizens. Dillinger asked Stevens to call these people to see if they have an interest in continuing to serve and contact the Executive Director of these Boards to see if the appointees are attending the meetings. Holt stated there was a motion made at last week's BZA (Board of Zoning Appeals) that they be permitted to appoint alternate BZA members. Holt stated they voted it down once before, the problem is a number of the members are agricultural orientated which is appropriate for both BZA's but at planting and harvest time they are absent for understandable reasons and if we know in advance they can't come and if there were alternate members, as on the Drainage Board, the meeting can go on. Holt stated he thought that would be in front of us today. Dillinger asked Howard if that is legal? Howard stated he thinks it is. Dillinger stated he had asked the Indianapolis Airport Authority if he could have an alternate and he was told no. Howard believes there is something specific in planning and zoning, he will check it out. Holt asked Howard to call Chuck Kiphart to find out where the ordinance is.

Hamilton Southeastern Schools Wage Determination Committee Appointment

Altman moved to appoint Art Levine to the Hamilton Southeastern Schools Wage Determination Committee. Dillinger seconded. Motion carried unanimously.

Letter of Recommendation for Envoy

Stevens requested signature on an updated recommendation letter for Envoy, Inc. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

Community Corrections Change Order

Altman moved to approve the Change Order for Gaylor, Inc. in the amount of \$25,463, to install a Bi-Directional Amplifier at the Community Corrections building. Dillinger seconded. Motion carried unanimously.

Janus Developmental Services

Stevens announced the Transportation Advisory Committee for Janus Developmental Services will meet December 16, 2009 at 1:00 p.m. Brad Davis attends that meeting.

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Bid Award for Surveyor's Vehicles

Mr. Kent Ward presented the quotes received and six (6) options on a RFP for purchase of two (2) vehicles for the Surveyor's office.

- 1) Two (2) pick up (4x4) super cab vehicles without trade-in. Both with snow plows, one (1) with Leer Camper Shell. One (1) with Leer Hard Tonneau Cover.
- 2) Two (2) pick up (4x4) super cab vehicles with trade-in. Both with snow plows, one (1) with Leer Camper Shell. One (1) with Leer Hard Tonneau Cover.
- 3) One (1) pick up (4x4) super cab vehicle (GVWR 8600#min) with snow plow and Leer Camper Shell, one (1) pick up (4x4 super cab vehicle (GVWR 7000#min) with Leer Hard Tonneau Cover, without trade in.
- 4) One (1) pick up (4x4) super cab vehicle (GVWR 8600#min) with snow plow and Leer Camper Shell, one (1) pick up (4x4 super cab vehicle (GVWR 7000#min) with Leer Hard Tonneau Cover, with trade in.
- 5) One (1) pick up (4x4) super cab vehicle (GVWR 8600#min) with snow plow and Leer Camper Shell, one (1) sport utility vehicle (4x4) without trade in.
- 6) One (1) pick up (4x4) super cab vehicle (GVWR 8600#min) with snow plow and Leer Camper Shell, one (1) sport utility vehicle (4x4) with trade in.

Dealer	Option 1	Option 2	Option 3	Option 4	Option 5	Option 6
Tom Wood Ford	\$74,054.00	\$69,054.00	\$68,592.00	\$63,592.00	\$61,963.00	\$56,963.00
Don Hinds Ford	\$65,408.00	\$64,408.00	\$61,058.00	\$60,058.00	\$55,055.00	\$54,055.00

Ward recommended Option 6 with Don Hinds Ford, one pick-up (4x4) super cab with one (1) sport utility vehicle (4x4) with trade in. Ward does have another vehicle they can add a snow plow to which would allow a total of four (4) surveyor's vehicles with plows. Altman asked if we can trade out any equipment on the existing vehicles we are trading in (ex: shell, etc) to get the costs down? Ward stated they don't have anything. Ward stated they like to have the super cab to carry their equipment, if they put the equipment in the bed it rolls around and they have tried a tool chest and that has not worked very well. Holt asked what is the sport utility vehicle? Ward stated a Ford Escape. Holt asked if it is a hybrid? Ward stated no, it cost even more. Holt stated the Commissioners made a decision that if we could purchase a hybrid we would; all of the highway department staff driving Escapes are hybrid. Altman stated we need to find the money to get the right equipment which is the Ford 250's unless we are not going to use them in the right capacity; he needs two (2) to push snow and do his work. Ward stated he has another F250 that he can install a plow on. It has 50,000 miles on it. Holt asked why drive an F250 around all day because it might snow. Altman stated that is fine, she did not know the mileage on the other vehicle. Altman asked if Ward has a blade to put on the F250? Ward stated no, he would have to buy a blade. Altman asked if he would have money to buy the blade with Option 6? Ward stated he does not know how much a blade is. Holt asked if the vehicle bid is with a blade? Ward stated yes. Holt stated is Ward trading in a truck that he has used to push snow? Ward stated no. Holt asked how many blades does Ward have in his department? Ward stated two (2) blades and two (2) trucks purchased with the thought to do the blades and then they were told not to install the blades. Holt asked how many hours of pushing snow do you have on the two (2) trucks that have blades? Ward stated not very many, maybe two or three snows through a season. Holt stated we are talking about a lot of money for very little snow pushing, unless we have a lot of snow. Holt confirmed with the new truck he will have three (3) blades? Ward stated yes. Holt asked why does he need to buy another blade? Ward stated if the Commissioner's would like to have another truck with a blade he has two (2) trucks available for blades. Holt asked Davis when the highway department trades in trucks; do they trade in the blade? Davis stated they auction the trucks and they do include the blade. Holt asked Davis if it would make sense to save a couple of blades for the Surveyor when they put trucks in the auction. Davis stated yes, the only caveat is that the blade may not fit. Altman stated we don't have to worry about that at this meeting. She drives a hybrid and she would rather see our experience and maintenance rate with hybrids before we increase the inventory. The gas mileage is not significantly higher with a hybrid. Altman moved to approve Option 6. Dillinger seconded. Altman and Dillinger approve. Holt opposed. Motion carried.

Indiana Partnership for Transportation Quality Achievement Award

Stevens stated the Indiana Partnership of Transportation Quality Achievement Award has sent an application for the award and he has forwarded the information to Brad Davis.

Maple Street Project

Stevens stated the Maple Street project continues; they are waiting on pipe which is targeted to be delivered today. He will keep the employees informed of the project status.



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Parks Department Clothing

Altman asked Stevens to bring a sample of the clothing with costs for him to present to the Commissioners so the department head does not have to wait through a meeting.

Mr. Al Patterson stated the Commissioners have approved a short sleeve T-shirt but with the weather changing the decision was made to purchase long sleeve T-shirts and one sweatshirt per person for the Parks maintenance staff. The shirts/sweatshirts will be orange with the Parks logo. Altman stated the logo has to include the wording "STAFF" on the front and the back. Dillinger moved to approve as amended. Altman seconded. Motion carried unanimously.

Request for Days Off

Stevens requested approval to take a couple of days off before the end of the year to use his excess time. The Commissioners agreed.

Riverwalk Committee

Dillinger informed the Board the Riverwalk Committee will be meeting this Thursday; the Committee believes they have enough votes to use the Logan Street TIF (Tax Increment Financing) money to start Phase 2 of the Riverwalk. Patterson stated Phase 2 is the mid-bank trail, it goes under Conner and Logan Streets. Phase 3 is the cantilevered promenade behind the Judicial Center. Dillinger clarified the discussion will be on Phase 3.

**ATTORNEY**

146<sup>th</sup> Street Excess Right of Way

Howard reported they have received an offer to purchase excess right of way on 146<sup>th</sup> Street and Oakridge Road. Howard requested authorization to declare the property excess and prepare closing documents. Altman moved to declare this parcel excess property and authorize the attorney to prepare the closing documents. Dillinger seconded. Motion carried unanimously.

Alternative Service Concepts Agreement

Howard recommended approval of a One-Year Claims Handling contract with Alternative Service Concepts (ASC) for the dates February 1, 2010 to February 1, 2011. The per claimant fee has stayed the same but the total minimum and deposit fee is \$46,715 due to an increase in the number of claims, which is paid for from the liability trust. Dillinger moved to approve. Altman seconded. Motion carried unanimously.

Humane Society 2010 Service Agreement

Mr. Darren Murphy requested approval of the 2010 Service Agreement with the Humane Society of Hamilton County and the participant's service agreements for 2010 for Carmel, Fishers, Noblesville and Westfield. Holt asked if the Humane Society had seen this agreement? Murphy stated no. Holt asked Murphy to send it to the Humane Society for their review before the Commissioners sign it. Ms. Coverdale asked if we will continue to work on the current contracts? Holt stated yes. Coverdale stated the Humane Society submitted paperwork at budget time. Holt stated it is not their fault we have not given them a contract. Altman stated she is more concerned about the participating entities, did the cost go up or down for them? Murphy stated it went from \$138.00 to \$157.00. Altman stated they need to sign their agreements as soon as possible. Holt stated those agreements should be done in August, not December. Howard will mail them out tomorrow.

Ordinance 12-14-09-A, Creating New Chapters in Hamilton County Code

Murphy requested approval of Ordinance 12-14-09-A, An Ordinance Creating a New Chapter in the Hamilton County Code of Ordinances and Assigning New Codification Locations for Ordinances 4-14-08-A and 03-26-07-A. Altman moved to approve. Dillinger seconded. Motion carried unanimously.

**AUDITOR**

November 23 Commissioner Minutes

Coverdale stated the Commissioners approved a correction to the November 23, 2009 Commissioner Minutes and after reviewing the tape it was found the original wording was correct. The word was "forest" not "farm". Coverdale requested a motion to change the minutes to reflect the correct wording. Altman so moved. Dillinger seconded. Altman and Dillinger approved. Holt abstained. Motion carried.

Capital Asset Notification Forms

Altman moved to approve the Capital Asset Notification Forms from the Sheriff's Department. Dillinger seconded. Motion carried unanimously.

Treasurer's Monthly Report

Altman moved to accept the County Treasurer's Monthly reported dated November 30, 2009. Dillinger seconded. Motion carried unanimously.

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Vendor Claims

Altman moved to approve Vendor Claims to be paid December 15, 2009. Dillinger seconded. Motion carried unanimously.

Payroll Claims

Altman moved to approve Payroll Claims for the period of November 16-29, 2009 paid December 11, 2009. Dillinger seconded. Motion carried unanimously.

GASB 45 Work Session

The Commissioners will meet for a work session on GASB 45 after the regular meeting of January 11, 2010. The work session will be held in Conference Room 1A.

Altman moved to adjourn. Dillinger seconded. Motion carried unanimously.

**Commissioners Correspondence**

INDOT Response to LPA-ARRA Projects  
U.S. Department of Justice Notice of Eligibility for Federal Funding  
Malinowski Consulting, Inc. Cost Allocation Plan Quarterly General Fund Reimbursements  
IDEM Notice of Sewer Permit Application  
    Clay Township Regional Waste District Lift Station No. 1 – Carmel  
    Noblesville Senior – Noblesville  
Certificate of Liability Insurance  
    Comcast of Illinois/Indiana/Ohio, LLC  
Charter Communications, Notice of Entry Confirmation  
General Growth Properties, Inc. Notice of Entry Confirmation  
Frontier Insurance Company Notice of Termination of Future Liability on Bonds  
Comcast Business Sales Letter  
Fuelman Sales Letter

**Present**

Christine Altman, Commissioner  
Steven C. Dillinger, Commissioner  
Steven A. Holt, Commissioner  
Dawn Coverdale, Auditor  
Dan Stevens, Administrative Assistant to Commissioners  
Kim Rauch, Administrative Assistant to Auditor  
Michael Howard, Attorney  
Darren Murphy, Attorney  
Brad Davis, Highway Director  
Jim Neal, County Highway Engineer  
Joel Thurman, Highway Project Engineer  
Amber Emery, Administrative Assistant to Engineer  
Brandi Wariner, Highway Public Service Representative  
Dave Lucas, Highway Staff Engineer  
Mark Fisher, Highway Project Engineer  
Christopher Burt, Highway Engineering Technician  
Tim Knapp, Highway Right-of-Way Manager  
Matt Knight, Highway Bridge Program Engineer  
Faraz Khan, Highway Staff Engineer  
Kathy Howard, Highway Department Administrative Manager  
Bob Davis, Highway Superintendent  
Patti Smith, Beam, Longest & Neff  
Becki Wise-Kent, USI  
Floyd Burroughs, FEBA  
Steven Peachey, Fire RFP  
Bbo Fearnin, Fearnin Insurance  
Doug Walker, Walker & Associates  
Larry Stout, ISSD  
Chris Mertens, ISSD Manager  
Scott Leopold, Right of Way Variance  
Thurl Cecil, Coroner  
Nancy Dietmeyer, United Way  
Sheena Randall, Human Resources Director  
Mark McConaghy, Noblesville Housing Authority  
Al Patterson, Parks Department

**APPROVED**  
**HAMILTON COUNTY BOARD OF COMMISSIONERS**

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**ATTEST**  
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Dawn Coverdale, Auditor

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